

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION**

DEMETRI SIMS, *Individual,*

Plaintiff,

v.

NACOGDOCHES COUNTY TEXAS;

DAVID CRISP, *Individually;*

TYLER JOHNSON, *Individually*

Defendants.

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CIVIL ACTION NO. 9:21-CV-251

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

This Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, for consideration. On July 18, 2022, Magistrate Judge Stetson issued a Report and Recommendation in which she recommended that all of Plaintiff's claims be dismissed in their entirety, with prejudice. [Dkt. 29].

The Court has received and considered the Report and Recommendation of the United States Magistrate Judge filed pursuant to such referral, along with the record, pleadings, and all available evidence. To date, the parties have not filed objections to the report.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**.

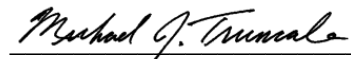
It is therefore, **ORDERED** that Defendants' Motion to Dismiss for failure to state a claim be **GRANTED** as to Defendant Nacogdoches County and **DENIED** as **MOOT** as to Defendants Crisp and Johnson.

It is further, **ORDERED** that Defendants Crisp and Johnson's Motion for Summary Judgment based on the issue of qualified immunity be **GRANTED**.

It is further, **ORDERED** that all of Plaintiff's claims are **DISMISSED** in their entirety with prejudice.

It is so **ORDERED**.

SIGNED this 5th day of August, 2022.

A handwritten signature in cursive script, reading "Michael J. Truncale", written in black ink.

Michael J. Truncale
United States District Judge